

UDC 796:316.48:34

CHARACTERISTIC OF SOCIAL CONFLICTS IN THE FIELD OF PHYSICAL CULTURE AND SPORTS

Maryna Sannikova¹

¹ Kharkiv State Academy of Physical Culture, Kharkiv, Ukraine svetlanastadnik87@gmail.com

<https://doi.org/10.29038/2220-7481-2019-01-22-28>

Abstracts

Relevance of the Research Topic. In any interpersonal relationships often arise conflict situations. The field of physical culture and sports is also no exception. In the conditions of intensive training and competitive activity, tension and conflict potential increase. This is due to the lack of psychological preparation of the individual for constructive interaction. In this regard, the importance of scientific research of social conflicts that arise in the field of physical culture and sports with the use of an integrated approach is actualized. **The purpose of the research is** to characterize the legal nature of social conflicts in the field of physical culture and sports. **Methods of research** – analysis and synthesis of literary sources; system analysis; math modeling. **Results of the Study.** Systematization of scientific studies of social conflicts in the field of physical culture and sports allowed to find out their temporal and spatial framework, to characterize the participants, subject, object, stage of development and types. The essence of social conflicts, which may or may not be legal in nature, is disclosed. The features of legal conflicts and their manifestation in the field of physical culture and sports are determined. A geometric model is constructed that characterizes the space of legal regulation of social conflicts. **Conclusions.** It is revealed that conflicts in the sphere of physical culture and sports are related to the social type of conflicts, which are characterized by frames, participants, object, object, stages of development and type. It has been established that in the real practice of development of the sphere of physical culture and sports there are various kinds of social conflicts that are of a legal nature. They are solved using legal means and may be subject to consideration by such legal institutions as, for example, sports arbitration. The constructed model reflects the space of legal regulation of social conflicts. It is formed on the basis of three component characteristics: «needs», «resolution possibilities» and «satisfaction measures». They form three twodimensional spaces, where the diagonals form a coordinate system.

Key words: social conflicts, the sphere of physical culture and sports, the space of legal regulation, the geometric model.

Марина Саннікова. Характеристика соціальних конфліктів у сфері фізичної культури та спорту. Актуальність теми дослідження. У будь-яких міжособистісних стосунках нерідко виникають конфліктні ситуації. Сфера фізичної культури та спорту також не є винятком. В умовах інтенсивної тренувальної й змагальної діяльності неминуче зростають напруженість і конфліктогенність, що зумовлено недостатньою психологічною підготовкою особистості до конструктивної взаємодії. У зв'язку з цим актуалізується значущість наукових досліджень соціальних конфліктів, які виникають у сфері фізичної культури та спорту із погляду комплексного підходу. **Мета дослідження** – охарактеризувати правову сутність соціальних конфліктів у сфері фізичної культури та спорту. **Методи дослідження** – аналіз та узагальнення літературних джерел; системний аналіз; математичне моделювання. **Результати дослідження.** Систематизація наукових досліджень соціальних конфліктів у сфері фізичної культури та спорту дала змогу з'ясувати їхні часові та просторові рамки, охарактеризувати учасників, предмет, об'єкт, стадії розвитку й типи. Розкрито сутність соціальних конфліктів, які можуть мати або не мати юридичний характер. Визначено особливості юридичних конфліктів і їх прояв у сфері фізичної культури та спорту. Побудовано геометричну модель, яка характеризує простір правового регулювання соціальних конфліктів. **Висновки.** Виявлено, що конфлікти у сфері фізичної культури й спорту належать до соціального типу конфліктів, які характеризуються рамками, учасниками, предметом, об'єктом, стадіями розвитку та типом. З'ясовано, що в реальній практиці розвитку сфери фізичної культури й спорту простежуємо різні соціальні конфлікти, які мають юридичний характер, а отже, вирішуються з використанням дозволених юридичних засобів та можуть стати предметом розгляду таких юридичних інститутів як, наприклад, спортивний арбітраж. Побудована модель відображає простір правового регулювання соціальних конфліктів, сформована на підставі трьох складників характеристик: «потреби», «можливості розв'язання» й «міри задоволеності», що утворюють три двомірні простори, де діагоналі утворюють систему координат.

Ключові слова: соціальні конфлікти, сфера фізичної культури та спорту, простір правового регулювання, геометрична модель.

Марина Санникова. Характеристика социальных конфликтов в сфере физической культуры и спорта. Актуальность темы исследования. В любых межличностных отношениях нередко возникают конфликтные ситуации. Сфера физической культуры и спорта также не является исключением. В условиях интенсивной тренировочной и соревновательной деятельности неизбежно растут напряженность и конфликтность, что обусловлено недостаточной психологической подготовкой личности к конструктивному взаимодействию. В связи с этим актуализируется значимость научных исследований социальных конфликтов, которые возникают в сфере физической культуры и спорта с точки зрения комплексного подхода. **Цель исследования** – охарактеризовать правовую сущность социальных конфликтов в сфере физической культуры и спорта. **Методы исследования** – анализ и обобщение литературных источников; системный анализ; математическое моделирование. **Результаты исследования.** Систематизация научных исследований социальных конфликтов в сфере физической культуры и спорта позволила выяснить их временные и пространственные рамки, охарактеризовать участников, предмет, объект, стадии развития и типы. Раскрывается сущность социальных конфликтов, которые могут иметь или не иметь юридический характер. Определяются особенности юридических конфликтов и их проявление в сфере физической культуры и спорта. Построена геометрическая модель, которая характеризует пространство правового регулирования социальных конфликтов. **Выводы.** Выявлено, что конфликты в сфере физической культуры и спорта относятся к социальному типу конфликтов, которые характеризуются рамками, участниками, предметом, объектом, стадиями развития и типом. Установлено, что в реальной практике развития сферы физической культуры и спорта наблюдаются различного рода социальные конфликты, которые имеют юридический характер, а следовательно, решаются с использованием разрешенных юридических средств и могут стать предметом рассмотрения таких юридических институтов как, например, спортивный арбитраж. Построенная модель отражает пространство правового регулирования социальных конфликтов, сформированная на основании трех составляющих характеристик: «потребности», «возможности разрешения» и «меры удовлетворенности», образующие три двухмерные пространства, где диагонали образуют систему координат.

Ключевые слова: социальные конфликты, сфера физической культуры и спорта, пространство правового регулирования, геометрическая модель.

Introduction. Unfortunately conflicts are a reality of everyday life, particularly in the sphere of physical culture and sports. Social conflicts have always been of interest to politicians, economists, lawyers and other professionals. In the mid-90s of the 20th c., an independent complex science called «conflictology» was created. [3].

Conflictology, like any other science, has a close interdisciplinary cooperation with sociology and social psychology, pedagogy, history, political science, economics, etc. However, one of the most important crossdiscipline is legal science, since many social conflicts are either generated by legal situations or proceed in legal relations. This fact has caused the emergence of the discipline, called legal conflictology. Its subject ranges over the arising, developing and resolution of conflicts within the framework of either internal (national) or international law [5].

Legal conflictology is related to conflict resolution issues which arise in the sphere of physical culture and sports. These conflicts have both: common features, characteristic of any social conflict, and specific features.

The analysis of recent research and publications has shown that the problems of social conflict in physical culture and sports are in the spotlight of professionals. In our opinion, their intensive study was conducted in the 80s of XX century [3; 9; 12]. At the same time, the need of practice in this period influenced the positions and priorities of researchers. As a result, the problem of social conflict in physical culture and sports was considered mostly in terms of psychology and pedagogy. Accordingly, social conflict in physical culture and sports was considered as either an interaction of conflicting parties, or as an interpersonal conflict or a problem of formal and informal leadership, social-psychological compatibility, etc. [1; 11; 13].

However, some social conflicts in the sphere of culture and sports cannot be considered, analyzed, and moreover, resolved only in terms of psychology and pedagogy.

The goal of the study is to characterize the legal nature of social conflicts in the sphere of physical culture and sports.

The objectives of the study: 1) to systematize contemporary scientific ideas concerning social conflicts in the sphere of physical culture and sports; 2) to construct a geometric model that characterizes the space of legal regulation of social conflicts.

The methods of the study: analysis and synthesis of literary sources; system analysis; mathematical modeling.

The results of the study. It has been revealed that the concept of «conflict» is interpreted by scientists ambiguously. In our opinion, the most successful is the interpretation of the social conflict in the scholarly works by V. V. Kuzin, M. E. Kutieпов, D. G. Kholodniak. They define social conflict as a process in which two (or more) individuals or groups are actively seeking to prevent each other from achieving a certain goal, keeping the opponent from satisfaction of his/her interests, or changing his/her views and social positions [12].

The research shows that social conflict is characterized by the framework, participants, subject, object, stages of development and types. V. Lukashuk [13] considers the spatial, temporal and intrasystem frameworks of social conflict. The analysis of participants in a social conflict can be carried out in terms of various sciences. In terms of psychology L. O. Kotlov considers a social conflict as interpersonal as its participants are always people: from two individuals to small formal or informal groups [10].

In terms of sociology I. Z. Tanchin describes social conflict as a conflict of social communities – social strata, classes, state and other organizations, mass movements, etc. [16]. A. Zalizko interpreted social conflict in terms of political science as political or geopolitical, that is, as a conflict at the state or interstate level [8].

The subject of the conflict is the main contradiction, because of which, and for the resolution of which, the subjects start a dispute: the problem of power, various values, formal and informal leadership, social and psychological compatibility, etc. [4]. In the work by S. I. Petrov we discover that the object of social conflict is always a resource, material or spiritual value, an element of the material world and social reality, which can be the subject of personal, group, social, state interests [15].

According to the authors [2; 3; 4], there are usually two main stages in the development of social conflict – latent (hidden) and open. The latent stage includes a number of steps: the emergence of a conflict situation; awareness of one's interests at least by one of the participants; awareness of the obstacles to the satisfaction of one's interests; awareness of one's interests and related obstacles by the other party; specific actions of one of the parties to defend their interests; negative response from one of the parties to the appeal of the other. The open stage is characterized by the presence and obviousness of conflict for all participants. At this stage the actions of the parties become external often involving media or third parties that may affect the conflict both in promoting its development and overcoming contradictions.

According to V. V. Kuzin, M. Ye. Kutieпов, D. G. Kholodniak, the main types of social conflicts include: global and regional; situational and positional; group and interpersonal; heated and slowly flowing; restorative, political, economic, domestic, cultural and social (in the narrow sense – in the sphere of labour, health care, social security, education, etc.) and others [12].

V. Lukashuk [13] distributes social conflicts on the following grounds: the number of participants, the degree of regulatedness, duration, resources, etc. Particularly, social conflicts in sports can be classified into conflicts in amateur sports and conflicts in professional sports, etc. The Olympic Games in 1980 and 1984 serve as an example of international, global, heated, political, long-lasting social conflict with a significant number of participants.

Some provisions, elaborated by domestic educators and psychologists, include consideration of some aspects relating to legal social conflict in physical culture and sports. Yu. A. Kolomeitsev singles out 10 main groups of reasons that can bring to a conflict in physical culture and sports. They include: the level of specific qualities; height and weight data of athletes; differences in psychophysiological characteristic properties; characterological constitution of athletes; personal traits of athletes; differences in the system of sport values and the means of their achievement, etc.; specificity of communication process, interpersonal contacts and communications; negative mental states; sports and production reasons; organizational and management reasons; domestic reasons [9].

According to the author the suggested classification is incomplete. However, it is important for us that some groups of reasons cause conflicts of legal nature. According to Yu. A. Kolomeitsev, they mostly include conflicts arising on the sports production, organizational, managerial and domestic grounds.

It's common knowledge that a social conflict may be either legal or not. According to A. Ya. Antsupov, A. I. Shypilov, a conflict is considered legal if a controversion is connected with legal relations of the parties (their legally relevant actions or states). Therefore the participants or the motivation of their behaviour, or the object of the conflict have legal characteristic features, and the conflict entails «legal consequences» [2].

As a matter of law, social conflicts are rather heterogeneous. In the legal sphere, social conflicts arise and develop in connection with existing contradictions between legal norms relating to the same subject. The

content and meaning of legal norms determine the actions of the conflicting parties in this case. Social conflicts of legal sphere acquire legal characteristics only in the process of their development. Social conflicts of a mixed nature include both legal and non-legal elements [13].

The legal nature of a social conflict depends on its participants – legal entities or natural persons. In case when the subjects are specific legal entities – the conflict always takes form of a legal nature. A natural person, as a subject of a conflict, becomes a participant of a civil, administrative process as a plaintiff, a respondent, an injured person, an accused person, a witness. On the other hand, in some cases, the legal aspect of the conflict is selective, that is, relating not to all individuals, but only to some. Moreover, the parties that confront may be unequal: a natural person may come into conflict with a legal entity and vice versa [6].

H. B. Vlasova claims that an important role in social conflict of a legal nature is performed by mediators and judges. Mediators try to prevent, stop, resolve the conflict, influencing over the conflicting parties with their authority or other means. They help the conflicting parties reach an agreement through negotiations, as they are not empowered to make any decision. Unlike mediators, judges must understand the causes and circumstances of the conflict and make their decision [5].

An important part in social conflicts of legal nature from the point of view of subject and object is occupied by irregular conflicts. Their main participant is a mediator, who is an expert in a certain area of law, able to clarify the situation and give necessary advice that eliminates the breeding ground for the emergence or development of the conflict. Irregular conflicts occur when the party believes that he or she is in legal relations with the other party, although in fact they do not exist; when the party does not realize that he or she is in legal relations with the other party; when the party believes that the other party acts illegally, while the actions of the adversary are legitimate; or when the party thinks the other party acting lawfully, which is not true [7].

The type of social conflict of legal nature is determined by: the branch of law to which the conflict refers (civil, administrative, labour, financial law, etc.); the nature of the legal norm relating to the conflict (which authorizes, obligates, prohibits the rules); type of enforcement institution (arbitration court, reference court, etc.), etc. [5].

According to the Constitution of Ukraine the resolution of a social conflict of legal nature rests with judiciary power, namely, the Constitutional Court, civil court, criminal court, administrative court etc. These are state legal authorities resolving social conflicts on the basis of formally regulated legal principles. However, there are social conflicts of legal nature, which are most effectively resolved by informal (quasi-legal) methods provided by informal arbitration courts or arbitral (informal) tribunal.

Some authors [12; 14] distinguish between several types of informal arbitration (arbitral tribunal). First, it is a binding arbitration, which considers disputes and makes a final decision, which is in force for the parties. Secondly, it is a non-binding arbitration, which considers disputes and renders a recommendatory award. Thirdly, it is a «flip-flop arbitration» (a type of binding arbitration), which considers the options offered to each of the parties to a dispute, and chooses one of them without making any changes. Fourthly, it is a limited arbitration (a type of binding arbitration), which acts in the course of a dispute within certain limits established by the parties before the consideration and disclosed to arbitrators.

In our study, we considered it expedient to present the space of legal regulation of social conflicts, using geometric representations as a more generalizing language for conveying necessary information about the nature of social conflicts. We proceeded from the fact that any social conflicts are based on «needs», «resolution capability» and «satisfaction measures». Each of the constituent characteristics is independent and, in combination of two, they generate three two-dimensional spaces (hereinafter, the unit square), in which the diagonals form a coordinate system unfolded at a 45 °degree angle. One of the diagonals is a scale measuring the degree of intensity of the corresponding generalizing characteristic, and the second reflects the variability of the value of the corresponding characteristic to the intensity on the first diagonal. For a complete understanding of legal regulation of behaviour, it is necessary to include the three independent characteristics. The full scope of legal regulation can be based on the «need», «solution capability» and «satisfaction measures», resulting in four scales – diagonals, one of which displays a generalizing characteristic of legal regulation, and the other – variability in value of the corresponding manifestation of this characteristic (Fig. 1.).

As we can see, the spaces of unit squares are divided into three zones, the distance of each one from the centre of coordinates is measured in sigma fractions. In the first zone of the functional optimum the borders

are located one sigma from the centre; in the second zone – the border is located two sigmas from the centre; in the third zone – the border is located three sigmas from the centre.

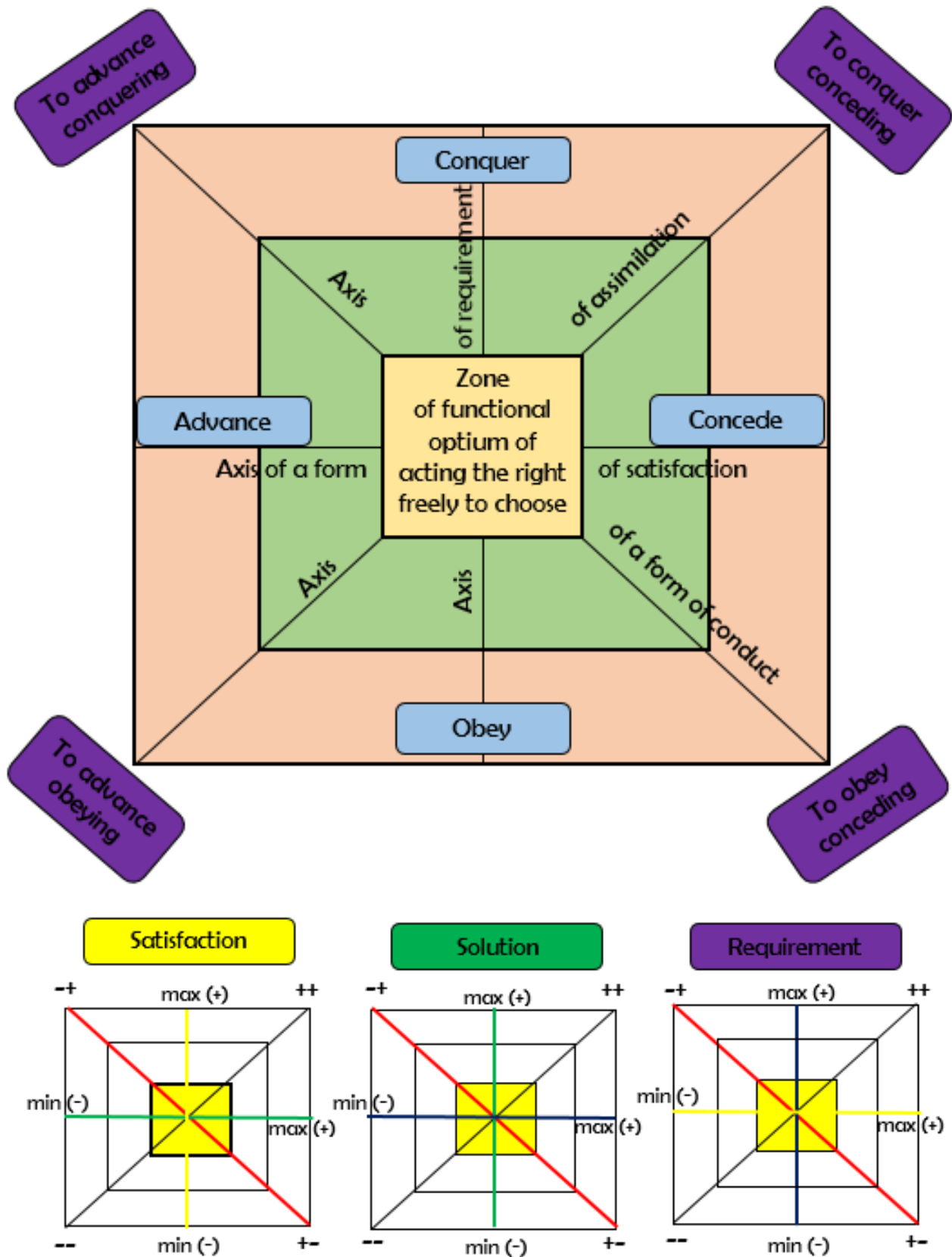


Figure 1. The space of legal regulation of social conflicts

In two unit squares, representing the areas of legal regulation of behaviour, the three formative characteristics are involved. The representation of the third area is inexpedient, since, firstly, it has a completely analogous construction, and secondly, it is based on the three independent formative characteristics already used and is a derivative of the space. The necessity of its usage is determined by the fact that the three unit squares representing the fields of legal regulation of behaviour, based on the combination of independent formative characteristics in pairs: «needs», «resolution capability» and «satisfaction measures» in organizing joint behaviour, present two options for constructing three-dimensional spaces for the full expression of various forms, the organization of interdependent relations, reflecting the nature of social conflicts.

Discussion. Sport represents an integral part of the life of the society. Therefore, both: common features, characteristic of any social conflict, as well as specific features are inherent to the conflicts that arise in this area. Like any other social conflict, conflicts in the sphere of physical culture and sport are characterized by certain spatial and temporal frameworks, participants, subject, object, stages of development and types [6; 13]. However, according to O. Zalizko [8], social conflicts in sports may have their own classification.

Until the present, social conflicts have been investigated in terms of various sciences. In terms of psychology – by L.O. Kotlova [10], in terms of sociology – by I. Z. Tanchin [16], Yu.O.Krohina [11], from the perspective of legal science – by G. B. Vlasova [5], M Sh. Gunybsky [7]. Scientific discussion on the issue of the investigation testifies that the study of the essence of social conflicts is a complex phenomenon of legal reality which requires further in-depth study.

Scientific interest in literature is also caused by conflicts and justice in sports. The notion and types of conflicts are considered by V. V. Galkin [6], O. Zalizko [8]. The legal characteristic and the system of sports arbitration courts (CAS – Court of Arbitration for Sport) in the international sports are considered by N. V. Miliakov [14], V. V. Kuzin, M. E. Kutieпов, D. G. Kholodniak [12], V. Lukashuk [13]. The resolution of interpersonal conflicts in a sports team was considered by N. I. Alekseieva [1], N. L. Holt, C. J. Knight & P. Zukowski, [18], Kyle F. Paradis, Albert V. Carron & Luc J. Martin [19], S. Hamm-Kerwin & A. Doherty [17]. Conflicts in sports and socio-psychological training as a means of their resolving were studied by S. I. Petrov [15]. The results of our research supplement the results of scientific research, presented in the above-mentioned works on the characterization of social conflicts in sports.

Conclusions and directions for future research. It has been revealed that conflicts in physical culture and sports belong to social types of conflicts characterized by the framework, participants, subject, object, stages of development and type. It has been established that there are various kinds of social conflicts of a legal in nature in the real practice of development of the sphere of physical culture and sports. They are resolved with legal means and considered by such legal institutions as, for example, sports arbitration.

The constructed model reflects the space of legal regulation of social conflicts, based on the three component characteristics: «needs», «resolution capability» and «satisfaction measures». They form three two-dimensional spaces in which the diagonals make up a coordinate system.

Directions for future research are associated with the need to review the regulatory framework and experience of the International Court of Arbitration for Sport.

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Received: 22.02.2019.